

3625

20/29²⁵

STATUS OF APPLICATION

Change in place of use
 Date filed 4-13-77
 Date of hearing _____
 Place of hearing _____
 Date of order 5-18-77 Vol. 29, page 36
 Date for application of water 10-1-78
 Proof mailed _____
 Proof received _____
 Certificate issued AUG 12 1991 Vol. _____, page 66607

DESCRIPTION OF WATER RIGHT

Name of stream Yamhill R.
 Trib. of _____ County of Yamhill
 Use irrigation
 Quantity of water _____ No. of acres 93³
 Name of ditch _____
 Date of priority _____
 In name of _____
 _____ Adjudication, Vol. _____, page _____
 App. No. 20653 Per. No. 8862 Cert. No. 23198
 Certificate cancelled _____
 Notation made on record by _____

FEEES PAID

Date	Amount	Receipt No.
<u>4-13-77</u>	<u>49²⁵</u>	<u>59688</u>
TOTAL . . .		
	No Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.

REMARKS

Proposed Cert sent JUN 11 1991

*See T-4137
prior to issuance of
confirming certificate*

OK Cert.

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
	<u>WH</u> Name	<input checked="" type="checkbox"/>	_____
<u>WH</u> Stream	<input checked="" type="checkbox"/>	_____	
<u>WH</u> Pt. of Div.	<input checked="" type="checkbox"/>	_____	
<u>WH</u> Calendar	<input checked="" type="checkbox"/>	_____	
CHECKED TO RECORDS:			
<u>✓</u> Twp. & Rge.	<u>lcj</u>	_____	
<u>✓</u> Decree-vault	_____	_____	
<u>✓</u> Decree-safe	_____	_____	
<u>✓</u> Cert. of W/R	<u>lcj</u>	_____	
<u>✓</u> Per. Folder	<u>lcj</u>	_____	
<u>✓</u> Chainindex	_____	_____	
<u>✓</u> Cross Ref.	_____	_____	
<u>✓</u> Power Claim	_____	_____	
<u>✓</u> Abstracts	<input checked="" type="checkbox"/>	_____	

TRANSFER PROCEDURE
CHECK-OFF LIST

CONTENTS CODED	()
CONTENTS COPIES	()
CERTIFICATE MARKED	()
CERTIFICATE COPIED	()
DECREE MARKED (VAULT)	()
DECREE PAGE COPIED (MICRO-FISCHE)	()
TRANSFER FOLDER MARKED	()
PERMIT FOLDER MARKED & ATTACHED	()
NAME CARD MADE	()
STREAM CARD MADE	()
CALENDAR CARD MADE	()
ENTERED IN LOG	()
PLAT CARD MARKED	()
PLAT CARD COPIED	()
ACKNOWLEDGEMENT DRAFTED	()
ACKNOWLEDGEMENT & RECEIPT MAILED	()
PON DRAFTED	()
PON MAILED	()
W/M REPORT SENT/DATE-----	()
W/M REPORT REC'D/DATE-----	()
GW REPORT SENT/DATE-----	()
GW REPORT RECEIVED/DATE-----	()
SPECIAL ORDER PAGES RESERVED	()
ORDER DRAFTED	()
ORDER SIGNED BY DIRECTOR	()
ORDER COPIED	()
COPY OF ORDER SENT TO:		
APPLICANT (ORIGINAL)	()
IRRIGATION DISTRICT (IF NEC.)	()
WATERMASTER	()
FOLDER	()
W/ COMPLETION FORM	()
W/ FIELD FORM	()
ORIGINAL TO SPECIAL ORDER BOOK	()

STATE OF OREGON
COUNTY OF YAMHILL
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

R.L. WALKER FARMS, INC.
11955 BALLSTON ROAD
AMITY, OREGON 97101

confirms the right to use the waters of the SOUTH YAMHILL RIVER, a tributary of the YAMHILL RIVER, for the purpose of IRRIGATING 302.0 ACRES.

The right has been perfected under Permit 18862. The date of priority is JULY 23, 1945. The right is limited to not more than 3.78 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW 1/4 SW 1/4, SECTION 35, T 5 S, R 5 W, W.M.; 1050 FEET NORTH AND 300 FEET EAST FROM THE SW CORNER OF SECTION 35.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The right shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

NW 1/4 NE 1/4 7.1 ACRES
SW 1/4 NE 1/4 2.6 ACRES
BOTH AS PROJECTED WITHIN DLC 42
SW 1/4 NE 1/4 0.4 ACRE
AS PROJECTED WITHIN DLC 67
NE 1/4 NW 1/4 20.6 ACRES
SE 1/4 NW 1/4 18.3 ACRES
BOTH AS PROJECTED WITHIN DLC 42
SE 1/4 NW 1/4 5.3 ACRES
NE 1/4 SW 1/4 20.0 ACRES
NW 1/4 SW 1/4 30.0 ACRES
SW 1/4 SW 1/4 32.7 ACRES
SE 1/4 SW 1/4 4.6 ACRES
ALL AS PROJECTED WITHIN DLC 67
SECTION 2

NE 1/4 SE 1/4 3.8 ACRES
AS PROJECTED WITHIN DLC 67
SECTION 3

NW 1/4 NW 1/4 1.7 ACRES
AS PROJECTED WITHIN DLC 67
SECTION 11
TOWNSHIP 6 SOUTH, RANGE 5 WEST, W.M.

SEE NEXT PAGE

SE 1/4 SW 1/4 1.0 ACRE
SW 1/4 SW 1/4 18.5 ACRES
BOTH AS PROJECTED WITHIN DLC 70
SECTION 25

NE 1/4 NE 1/4 0.2 ACRE
AS PROJECTED WITHIN DLC 70
LOT 6 (NE 1/4 NE 1/4) 1.6 ACRES
SW 1/4 SE 1/4 1.0 ACRE
AS PROJECTED WITHIN DLC 37
SECTION 35

NE 1/4 NW 1/4 7.7 ACRES
AS PROJECTED WITHIN DLC 70
NE 1/4 NW 1/4 18.2 ACRES
NW 1/4 NW 1/4 1.5 ACRES
BOTH AS PROJECTED WITHIN DLC 68
NW 1/4 NW 1/4 18.8 ACRES
AS PROJECTED WITHIN DLC 70
LOT 4 (NW 1/4 NW 1/4) 22.2 ACRES
SW 1/4 NW 1/4 20.0 ACRES
SW 1/4 NW 1/4 2.6 ACRES
SE 1/4 NW 1/4 28.2 ACRES
NE 1/4 SW 1/4 8.8 ACRES
NW 1/4 SW 1/4 1.0 ACRE
ALL AS PROJECTED WITHIN DLC 68
LOT 3 (NW 1/4 SW 1/4) 3.6 ACRES
SECTION 36
TOWNSHIP 5 SOUTH, RANGE 5 WEST, W.M.

This certificate describes that portion of the water right confirmed by certificate 23198, State Record of Water Right Certificates, NOT modified by the provisions of orders of the Water Resources Director entered MAY 18, 1977 and APRIL 3, 1979, approving transfer applications 3625 and 4137 and is issued to confirm a change in PLACE OF USE approved by the same orders and supersedes certificate 23198.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed AUGUST 12, 1991.

/s/ WILLIAM H. YOUNG
William H. Young

Recorded in State Record of Water Right Certificates numbered 66607.

T-3625.TES

STATE OF OREGON
COUNTY OF YAMHILL
CERTIFICATE OF WATER RIGHT

This Is To Certify, That H. M. HAWKINS

of Broadmead Farms, Route 1, Amity, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of South Fork Yamhill River a tributary of Willamette River for the purpose of irrigation under Permit No. 18862 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from July 23, 1945

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 3.78 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ & SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Comegy DLC #37, Section 35, Township 5 South, Range 5 West, W.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

- 1.0 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within Culbertson DLC #70
- 12.4 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within Culbertson DLC #70
- Section 25
- 1.0 acres in Lot 8 (NE $\frac{1}{4}$ SE $\frac{1}{4}$)
- 5.9 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within J. Comegy DLC #37
- 13.2 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within J. Comegy DLC #37
- 33.6 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within J. Comegy DLC #37
- 0.1 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within J. Comegy DLC #37
- 0.7 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within J. Comegy DLC #37
- Section 35
- 7.7 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Culbertson DLC #70
- 18.2 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Harly DLC #68
- 15.6 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Culbertson DLC #70
- 1.5 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Harly DLC #68
- 19.9 acres in Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)
- 32.9 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$
- 2.6 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Harly DLC #68
- 28.2 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Harly DLC #68
- 8.8 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within Harly DLC #68
- 1.0 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within Harly DLC #68
- 3.6 acres in Lot 3 (NW $\frac{1}{4}$ SW $\frac{1}{4}$)

Section 36
 Township 5 South, Range 5 West, W.M.

185.8

- 39.4 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Comegy DLC #42
- 11.0 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Comegy DLC #42
- 19.3 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Comegy DLC #42
- 6.4 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Stone DLC #67
- 15.0 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within Comegy DLC #42
- 2.6 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within Comegy DLC #42
- 0.4 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within Stone DLC #67

280.9

Section 2
 Township 6 South, Range 5 West, W.M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this 16th day of October, 1957.

LEWIS A. STANLEY

State Engineer

Recorded in State Record of Water Right Certificates, Volume 16, page 23198.

T#3625

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Yamhill County

IN THE MATTER OF THE APPLICATION)
OF R. L. WALKER FARMS, INC., FOR)
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER FROM YAMHILL RIVER)

ORDER APPROVING
TRANSFER NO. 3625

On April 13, 1977, an application was filed in the office of the Water Resources Director by R. L. Walker Farms, Inc., for a change in place of use under an existing water right of record, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at Page 23198, Volume 16, State Record of Water Right Certificates, in the name of H. M. Hawkins, describes a right which includes the use of water from Yamhill River for irrigation of 23.6 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35; 12.9 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36, Township 5 South, Range 5 West, W.M.; 15.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 3.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 26.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 11.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 14.7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2, Township 6 South, Range 5 West, W.M., with a date of priority of July 23, 1945.

Water for the said right is diverted from two points located (1) 1050 feet North and 300 feet East and (2) 2950 feet North and 2150 feet East from the Southwest corner of Section 35, being within the (1) SW $\frac{1}{4}$ SW $\frac{1}{4}$ and (2) SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, Township 5 South, Range 5 West, W.M.

The applicant herein, owner of the lands above described, proposes to sever the right therefrom and, without loss of priority, to irrigate in lieu thereof a certain 4.7 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25; 0.2 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26; 4.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35; and 4.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36, Township 5 South, Range 5 West, W.M.; 21.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 29.5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 31.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 4.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2; 3.8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3; and 4.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, Township 6 South, Range 5 West, W.M.

Mr. Benjamin E. Monroe, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

No objection having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1978.

It is FURTHER ORDERED that upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, the certificate of water right heretofore issued to H. M. Hawkins and recorded at Page 23198, Volume 16, State Record of Water Right Certificates, is canceled, and in lieu thereof a new confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon, this 18th day of May, 1977.

/s/ JAMES E. SEXSON
Director